

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria DIVISION

In re: METRO COMMERCIAL FLOORING, INC. § Case No. 18-14243-BFK
 §
 §
 §

Debtor(s)

CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION
REPORT CERTIFICATION THAT THE ESTATE HAS BEEN FULLY
ADMINISTERED AND APPLICATION TO BE DISCHARGED (TDR)

Janet M. Meiburger, chapter 7 trustee, submits this Final Account, Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

| | |
|---|---|
| Assets Abandoned: <u>\$0.00</u> (without deducting any secured claims) | Assets Exempt: <u>\$0.00</u> |
| Total Distributions to Claimants: <u>\$31,945.74</u> | Claims Discharged Without Payment: <u>\$1,566,235.88</u> |
| Total Expenses of Administration: <u>\$11,754.26</u> | |

3) Total gross receipts of \$43,700.00 (see **Exhibit 1**), minus funds paid to the debtor and third parties of \$0.00 (see **Exhibit 2**), yielded net receipts of \$43,700.00 from the liquidation of the property of the estate, which was distributed as follows:

| | CLAIMS SCHEDULED | CLAIMS ASSERTED | CLAIMS ALLOWED | CLAIMS PAID |
|--|---------------------|--------------------|-------------------|----------------|
| SECURED CLAIMS (from Exhibit 3) | \$147,499.81 | \$746,862.77 | \$746,862.77 | \$29,931.21 |
| PRIORITY CLAIMS: | | | | |
| CHAPTER 7 ADMIN. FEES AND CHARGES (from Exhibit 4) | \$0.00 | \$11,754.26 | \$11,754.26 | \$11,754.26 |
| PRIOR CHAPTER ADMIN. FEES AND CHARGES (from Exhibit 5) | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| PRIORITY UNSECURED CLAIMS (from Exhibit 6) | \$81,418.28 | \$154,505.93 | \$154,505.93 | \$2,014.53 |
| GENERAL UNSECURED CLAIMS (from Exhibit 7) | \$1,512,600.00 | \$53,635.88 | \$53,635.88 | \$0.00 |
| TOTAL DISBURSEMENTS | \$1,741,518.09 | \$966,758.84 | \$966,758.84 | \$43,700.00 |

4) This case was originally filed under chapter 7 on 12/20/2018. The case was pending for 25 months.

5) All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6) An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated: 02/09/2021

By: /s/ Janet M. Meiburger
Trustee

STATEMENT This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

**EXHIBITS TO
FINAL ACCOUNT**

EXHIBIT 1 – GROSS RECEIPTS

| DESCRIPTION | UNIFORM TRAN. CODE ¹ | \$ AMOUNT RECEIVED |
|---|------------------------------------|-----------------------|
| 2009 Cadillac CTS-V. Valuation Method: Retail | 1129-000 | \$20,500.00 |
| 2013 Ford F-150 Supercab Raptor 4wd. Valuation M | 1129-000 | \$20,500.00 |
| Work Van. | 1129-000 | \$2,700.00 |
| TOTAL GROSS RECEIPTS | | \$43,700.00 |
| ¹ The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes. | | |

EXHIBIT 2 – FUNDS PAID TO DEBTOR & THIRD PARTIES

| PAYEE | DESCRIPTION | UNIFORM TRAN. CODE | \$ AMOUNT PAID |
|-------|-------------|-----------------------|-------------------|
| | None | | |

EXHIBIT 3 - SECURED CLAIMS

| Claim NO. | CLAIMANT | UNIFORM TRAN. CODE | CLAIMS SCHEDULED (from Form 6D) | CLAIMS ASSERTED | CLAIMS ALLOWED | CLAIMS PAID |
|----------------------|--------------------------------|--------------------------|---------------------------------------|---------------------|---------------------|--------------------|
| 1S | County of Loudoun, Virginia | 4800-000 | \$0.00 | \$9,652.77 | \$9,652.77 | \$6,226.50 |
| 2S-2 | Internal Revenue Service | 4300-000 | \$0.00 | \$24,592.81 | \$24,592.81 | \$13,475.91 |
| 3 | CL45 MW Loan 1, LLC | 4220-000 | \$0.00 | \$712,617.19 | \$712,617.19 | \$10,228.80 |
| N/F | Internal Revenue Service | 4110-000 | \$19,635.81 | NA | NA | NA |
| N/F | Internal Revenue Service | 4110-000 | \$19,696.00 | NA | NA | NA |
| N/F | Virginia Dep't of Taxation | 4110-000 | \$108,168.00 | NA | NA | NA |
| TOTAL SECURED | | | \$147,499.81 | \$746,862.77 | \$746,862.77 | \$29,931.21 |

EXHIBIT 4 – CHAPTER 7 ADMINISTRATIVE FEES and CHARGES

| PAYEE | UNIFORM TRAN. CODE | CLAIMS SCHEDULED | CLAIMS ASSERTED | CLAIMS ALLOWED | CLAIMS PAID |
|---|--------------------------|---------------------|--------------------|--------------------|--------------------|
| Trustee, Fees - Janet M. Meiburger | 2100-000 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Trustee, Expenses - Janet M. Meiburger | 2200-000 | NA | \$360.15 | \$360.15 | \$360.15 |
| Attorney for Trustee Fees - The Meiburger Law Firm, P.C. | 3110-000 | NA | \$3,790.00 | \$3,790.00 | \$3,790.00 |
| Auctioneer Fees - Auction Markets, LLC | 3610-000 | NA | \$3,500.00 | \$3,500.00 | \$3,500.00 |
| Bond Payments - Insurance Partners Agency, Inc. | 2300-000 | NA | \$11.12 | \$11.12 | \$11.12 |
| Banking and Technology Service Fee - Mechanics Bank | 2600-000 | NA | \$40.39 | \$40.39 | \$40.39 |
| Accountant for Trustee Fees (Other Firm) - BARRY STRICKLAND & COMPANY | 3410-000 | NA | \$3,994.15 | \$3,994.15 | \$3,994.15 |
| Accountant for Trustee Expenses (Other Firm) - BARRY STRICKLAND & COMPANY | 3420-000 | NA | \$58.45 | \$58.45 | \$58.45 |
| TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES | | NA | \$11,754.26 | \$11,754.26 | \$11,754.26 |

EXHIBIT 5 – PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES

| PAYEE | UNIFORM TRAN. CODE | CLAIMS SCHEDULED | CLAIMS ASSERTED | CLAIMS ALLOWED | CLAIMS PAID |
|-------|-----------------------|---------------------|--------------------|-------------------|----------------|
| None | | | | | |

EXHIBIT 6 – PRIORITY UNSECURED CLAIMS

| CLAIM NO. | CLAIMANT | UNIFORM TRAN. CODE | CLAIMS SCHEDULED (from Form 6E) | CLAIMS ASSERTED (from Proofs of Claim) | CLAIMS ALLOWED | CLAIMS PAID |
|--|--|--------------------------|---------------------------------------|---|---------------------|-------------------|
| 1P | U.S. Bankruptcy Court - County of Loudoun, Virginia | 5800-001 | \$0.00 | \$50.00 | \$50.00 | \$0.65 |
| 2P-2 | Internal Revenue Service | 5800-000 | \$0.00 | \$63,163.50 | \$63,163.50 | \$823.56 |
| 4P | Commonwealth of Virginia | 5800-000 | \$0.00 | \$91,292.43 | \$91,292.43 | \$1,190.32 |
| N/F | Virginia Dep't of Taxation | 5800-000 | \$81,418.28 | NA | NA | NA |
| TOTAL PRIORITY UNSECURED CLAIMS | | | \$81,418.28 | \$154,505.93 | \$154,505.93 | \$2,014.53 |

EXHIBIT 7 – GENERAL UNSECURED CLAIMS

| CLAIM NO. | CLAIMANT | UNIFORM TRAN. CODE | CLAIMS SCHEDULED (from Form 6F) | CLAIMS ASSERTED (from Proofs of Claim) | CLAIMS ALLOWED | CLAIMS PAID |
|-----------|--|--------------------------|---------------------------------------|---|-------------------|----------------|
| 2U-2 | Internal Revenue Service | 7300-000 | \$0.00 | \$11,770.09 | \$11,770.09 | \$0.00 |
| 4U | Commonwealth of Virginia | 7300-000 | \$0.00 | \$41,865.79 | \$41,865.79 | \$0.00 |
| N/F | Arc Eastern c/o Smyyth Collections, LLC | 7100-000 | \$2,000.00 | NA | NA | NA |
| N/F | Arc Eastern c/o Smyyth Collections, LLC | 7100-000 | \$2,000.00 | NA | NA | NA |
| N/F | Capital One, NA | 7100-000 | \$500,000.00 | NA | NA | NA |
| N/F | Capital One, NA | 7100-000 | \$500,000.00 | NA | NA | NA |
| N/F | Citi | 7100-000 | \$28,000.00 | NA | NA | NA |
| N/F | Citi | 7100-000 | \$28,000.00 | NA | NA | NA |
| N/F | Erie Insurance Co c/o Brennan & Clark Ltd. | 7100-000 | \$2,000.00 | NA | NA | NA |
| N/F | Erie Insurance Co c/o Brennan & Clark Ltd. | 7100-000 | \$2,000.00 | NA | NA | NA |
| N/F | Fishman Flooring Solutions | 7100-000 | \$5,300.00 | NA | NA | NA |
| N/F | Fishman Flooring Solutions | 7100-000 | \$5,300.00 | NA | NA | NA |
| N/F | Mosaic Title Company of Virgin C/O Odin Feldman Pittleman, P | 7100-000 | \$10,000.00 | NA | NA | NA |
| N/F | Mosaic Title Company of Virgin C/O Odin Feldman Pittleman, P | 7100-000 | \$10,000.00 | NA | NA | NA |
| N/F | Pro Logis C/O Commercial Services Group | 7100-000 | \$52,000.00 | NA | NA | NA |

| | | | | | | |
|---|--|----------|-----------------------|--------------------|--------------------|---------------|
| N/F | Pro Logis C/O Commercial Services Group | 7100-000 | \$52,000.00 | NA | NA | NA |
| N/F | Shaw Industries, Inc. c/o NCS | 7100-000 | \$24,000.00 | NA | NA | NA |
| N/F | Shaw Industries, Inc. c/o NCS | 7100-000 | \$24,000.00 | NA | NA | NA |
| N/F | Stone Source, LLC C/O Altus Global Trade Solut | 7100-000 | \$8,000.00 | NA | NA | NA |
| N/F | Stone Source, LLC C/O Altus Global Trade Solut | 7100-000 | \$8,000.00 | NA | NA | NA |
| N/F | Turner Construction Company | 7100-000 | \$125,000.00 | NA | NA | NA |
| N/F | Turner Construction Company | 7100-000 | \$125,000.00 | NA | NA | NA |
| TOTAL GENERAL UNSECURED CLAIMS | | | \$1,512,600.00 | \$53,635.88 | \$53,635.88 | \$0.00 |

Form 1

Individual Estate Property Record and Report Asset Cases

Exhibit 8

Page: 1

Case No.: 18-14243-BFK

Case Name: METRO COMMERCIAL FLOORING, INC.

Trustee Name: (660410) Janet M. Meiburger

Date Filed (f) or Converted (c): 12/20/2018 (f)

§ 341(a) Meeting Date: 01/23/2019

For Period Ending: 02/09/2021

Claims Bar Date: 04/12/2019

| 1 Asset Description (Scheduled And Unscheduled (u) Property) Ref. # | 2 Petition/ Unscheduled Values | 3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs) | 4 Property Formally Abandoned OA=§554(a) abandon. | 5 Sale/Funds Received by the Estate | 6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets |
|--|---|---|---|--|--|
| 1 2013 Ford F-150 Supercab Raptor 4wd. Valuation M Orig. Asset Memo: Imported from original petition Doc# 1 | 35,000.00 | 20,500.00 | | 20,500.00 | FA |
| 2 2009 Cadillac CTS-V. Valuation Method: Retail Orig. Asset Memo: Imported from original petition Doc# 1 | 22,825.00 | 20,500.00 | | 20,500.00 | FA |
| 3 Work Van. Orig. Asset Memo: Imported from original petition Doc# 1 | 200.00 | 2,700.00 | | 2,700.00 | FA |
| 3 Assets Totals (Excluding unknown values) | \$58,025.00 | \$43,700.00 | | \$43,700.00 | \$0.00 |

Major Activities Affecting Case Closing:

07/28/2020 - This TFR was filed with the Court on 7/1/2020.

07/18/19 - This case is ready for a TFR.

Initial Projected Date Of Final Report (TFR): 01/31/2020

Current Projected Date Of Final Report (TFR): 07/01/2020 (Actual)

Form 2

Exhibit 9

Page: 1

Cash Receipts And Disbursements Record

Case No.: 18-14243-BFK

Trustee Name:

Janet M. Meiburger (660410)

Case Name: METRO COMMERCIAL FLOORING, INC.

Bank Name:

Mechanics Bank

Taxpayer ID #: **-***9323

Account #:

*****3566 Checking Account

For Period Ending: 02/09/2021

Blanket Bond (per case limit): \$3,000,000.00

Separate Bond (if applicable): N/A

| 1 | 2 | 3 | 4 | | 5 | 6 | 7 |
|-------------|-----------------|-----------------------------------|--|--------------------|------------|-----------------|-----------------|
| Trans. Date | Check or Ref. # | Paid To / Received From | Description of Transaction | Uniform Tran. Code | Deposit \$ | Disbursement \$ | Account Balance |
| 02/13/19 | | S.D. Cherner Motocars Inc. | Deposit for 2013 Ford F150 SVT Raptor and 2009 Cadillac CTS-V pursuant to Asset Purchase Agreement | | 3,500.00 | | 3,500.00 |
| | {1} | | 2013 Ford F150 SVT Raptor \$1,750.00 | 1129-000 | | | |
| | {2} | | 2009 Cadillac CTS-V \$1,750.00 | 1129-000 | | | |
| 03/18/19 | 101 | Insurance Partners Agency, Inc. | BOND PREMIUM PAYMENT ON LEDGER BALANCE AS OF 03/18/2019 FOR CASE #18-14243 Voided on 03/20/2019 | 2300-004 | | 2.02 | 3,497.98 |
| 03/20/19 | 101 | Insurance Partners Agency, Inc. | BOND PREMIUM PAYMENT ON LEDGER BALANCE AS OF 03/18/2019 FOR CASE #18-14243 Voided: check issued on 03/18/2019 | 2300-004 | | -2.02 | 3,500.00 |
| 03/21/19 | 102 | Insurance Partners Agency, Inc. | BOND PREMIUM PAYMENT ON LEDGER BALANCE AS OF 03/21/2019 FOR CASE #18-14243 | 2300-000 | | 2.10 | 3,497.90 |
| 03/28/19 | {3} | District Flooring LLC | Deposit for 2005 Chevrolet Astro Van pursuant to Asset Purchase Agreement | 1129-000 | 500.00 | | 3,997.90 |
| 04/19/19 | {3} | District Flooring LLC | Proceeds from Sale of 2005 Chevrolet Astro Van (Docket No. 35) | 1129-000 | 2,200.00 | | 6,197.90 |
| 04/19/19 | | S.D. Cherner Motorcars Inc. | Proceeds from Sale of 2013 Ford SVT Raptor and 2009 Cadillac CTS-V (Docket No. 35) | | 37,500.00 | | 43,697.90 |
| | {1} | | Sale of 2013 Ford F-150 \$18,750.00 | 1129-000 | | | |
| | {2} | | Sale of 2009 Caddillac CTS-V \$18,750.00 | 1129-000 | | | |
| 04/24/19 | 103 | Auction Markets, LLC | Commission for Sale of Vehicles Per Court Order (Docket No. 35) | 3610-000 | | 3,500.00 | 40,197.90 |
| 04/24/19 | 104 | Internal Revenue Service | Partial Payment of Claim No. 2 Per Court Order (Docket No. 35) | 4300-000 | | 13,475.91 | 26,721.99 |
| 04/24/19 | 105 | County of Loudoun, Virginia | Partial Payment of Claim No. 1 Per Court Order (Docket No. 35) | 4800-000 | | 6,266.50 | 20,455.49 |
| 04/24/19 | 106 | Capital One, National Association | Partial Payment of Claim No. 3 Per Court Order (Docket No. 35) | 4220-000 | | 10,228.80 | 10,226.69 |
| 06/11/19 | | County of Loudoun, Virginia | Refund of Personal Property Tax Paid on Vehicles | 4800-000 | | -40.00 | 10,266.69 |
| 03/31/20 | | Mechanics Bank | Bank and Technology Services Fee | 2600-000 | | 8.20 | 10,258.49 |
| 04/02/20 | 107 | Insurance Partners Agency, Inc. | BOND PREMIUM PAYMENT ON LEDGER BALANCE AS OF 02/29/2020 FOR CASE #18-14243 | 2300-000 | | 9.02 | 10,249.47 |
| 04/30/20 | | Mechanics Bank | Bank and Technology Services Fee | 2600-000 | | 16.38 | 10,233.09 |
| 05/29/20 | | Mechanics Bank | Bank and Technology Services Fee | 2600-000 | | 15.81 | 10,217.28 |
| 08/05/20 | 108 | BARRY STRICKLAND & COMPANY | Dividend paid 100.00% on \$4,052.60, Accountant for Trustee Fees (Other Firm): Reference: | 3410-000 | | 4,052.60 | 6,164.68 |

Page Subtotals: \$43,700.00 \$37,535.32

Form 2

Exhibit 9

Page: 2

Cash Receipts And Disbursements Record

Case No.: 18-14243-BFK Trustee Name: Janet M. Meiburger (660410)
Case Name: METRO COMMERCIAL FLOORING, INC. Bank Name: Mechanics Bank
Taxpayer ID #: **-***9323 Account #: *****3566 Checking Account
For Period Ending: 02/09/2021 Blanket Bond (per case limit): \$3,000,000.00
Separate Bond (if applicable): N/A

| 1 | 2 | 3 | 4 | | 5 | 6 | 7 |
|-------------|-----------------|------------------------------|--|--------------------|------------|-----------------|-----------------|
| Trans. Date | Check or Ref. # | Paid To / Received From | Description of Transaction | Uniform Tran. Code | Deposit \$ | Disbursement \$ | Account Balance |
| 08/05/20 | 109 | BARRY STRICKLAND & COMPANY | Dividend paid 100.00% on \$58.45, Accountant for Trustee Expenses (Other Firm); Reference: | 3420-000 | | 58.45 | 6,106.23 |
| 08/05/20 | 110 | Janet M. Meiburger | Dividend paid 100.00% on \$360.15, Trustee Expenses; Reference: | 2200-000 | | 360.15 | 5,746.08 |
| 08/05/20 | 111 | The Meiburger Law Firm, P.C. | Dividend paid 100.00% on \$3,790.00, Attorney for Trustee Fees (Trustee Firm); Reference: | 3110-000 | | 3,790.00 | 1,956.08 |
| 08/05/20 | 112 | Internal Revenue Service | Dividend paid 1.26% on \$63,163.50; Claim# 2P-2; Filed: \$63,163.50; Reference: | 5800-000 | | 799.66 | 1,156.42 |
| 08/05/20 | 113 | Commonwealth of Virginia | Dividend paid 1.26% on \$91,292.43; Claim# 4P; Filed: \$91,292.43; Reference: | 5800-000 | | 1,155.78 | 0.64 |
| 08/05/20 | 114 | U.S. Bankruptcy Court | COMBINED SMALL CHECK | 5800-001 | | 0.64 | 0.00 |
| 08/17/20 | | BARRY STRICKLAND & COMPANY | Refund of Duplicate Payment of Expenses | 3410-000 | | -58.45 | 58.45 |
| 10/13/20 | 115 | Internal Revenue Service | Dividend paid 1.30% on \$63,163.50; Claim# 2P-2; Filed: \$63,163.50; Reference: | 5800-000 | | 23.90 | 34.55 |
| 10/13/20 | 116 | Commonwealth of Virginia | Dividend paid 1.30% on \$91,292.43; Claim# 4P; Filed: \$91,292.43; Reference: | 5800-000 | | 34.54 | 0.01 |
| 10/13/20 | 117 | U.S. Bankruptcy Court | COMBINED SMALL CHECK | 5800-001 | | 0.01 | 0.00 |

| | | | |
|-------------------------------------|--------------------|--------------------|---------------|
| COLUMN TOTALS | 43,700.00 | 43,700.00 | \$0.00 |
| Less: Bank Transfers/CDs | 0.00 | 0.00 | |
| Subtotal | 43,700.00 | 43,700.00 | |
| Less: Payments to Debtors | | 0.00 | |
| NET Receipts / Disbursements | \$43,700.00 | \$43,700.00 | |

Form 2

Exhibit 9
Page: 3

Cash Receipts And Disbursements Record

Case No.: 18-14243-BFK **Trustee Name:** Janet M. Meiburger (660410)
Case Name: METRO COMMERCIAL FLOORING, INC. **Bank Name:** Mechanics Bank
Taxpayer ID #: **_***9323 **Account #:** *****3566 Checking Account
For Period Ending: 02/09/2021 **Blanket Bond (per case limit):** \$3,000,000.00
Separate Bond (if applicable): N/A

| | |
|----------------------------------|-------------|
| Net Receipts: | \$43,700.00 |
| Plus Gross Adjustments: | \$0.00 |
| Less Payments to Debtor: | \$0.00 |
| Less Other Noncompensable Items: | \$0.00 |
| Net Estate: | \$43,700.00 |

| TOTAL - ALL ACCOUNTS | NET DEPOSITS | NET DISBURSEMENTS | ACCOUNT BALANCES |
|-----------------------------|---------------------|--------------------------|-------------------------|
| *****3566 Checking Account | \$43,700.00 | \$43,700.00 | \$0.00 |
| | \$43,700.00 | \$43,700.00 | \$0.00 |